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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/682,005	07/06/2001	George Mazereeuw	03DV-9051	1055

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EXAMINER

HUYNH, KIM NGOC

ART UNIT	PAPER NUMBER
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2182

DATE MAILED: 03/31/2004

17

Please find below and/or attached an Office communication concerning this application or proceeding.

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**Advisory Action**

Application No.

09/682,005

Applicant(s)

MAZEREEUW, GEORGE

Examiner

Kim Huynh

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--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 01 March 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY** [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.  
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  
ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.  
2. ☐ The proposed amendment(s) will not be entered because:  
(a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ they raise the issue of new matter (see Note below);  
(c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_

3. ☒ Applicant's reply has overcome the following rejection(s): 35 USC 112 first and second paragraphs.  
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: see attached sheets.  
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.  
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_

Claim(s) objected to: \_\_\_\_\_

Claim(s) rejected: 12,4-11,13-20.

Claim(s) withdrawn from consideration: \_\_\_\_\_

8. ☐ The drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.  
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.  
10. ☐ Other: \_\_\_\_\_

KIM HUYNH  
PRIMARY EXAMINER

3/26/04

***Response to Arguments***

1. Applicant's arguments filed 3/1/04 have been fully considered but they are not persuasive.

a. The circuit of Allos monitors the environment of 230V by using the windows of a predetermined voltage range of +/-5 to 15% (col. 3, first paragraph) for either one to five cycles (col. 2, ll. 31-38). Applicant amends the disclosure to add the term "rms" to differentiate from the language "monitoring the peak rated value" used by Allos.

However, please note Allos discloses the transformer T1 provides an approximate 12 V rms output having terminals U, C, and D to provide supply voltage (mains voltage) and reference voltages (regulated voltage) for the voltage regulator (col. 1, ll. 59-67).

Therefore, it is inherent that the mains voltage in which being monitor by the voltage regulator is rms voltage.

Regarding the high and low "rms" value, the applicant amendment the claims to add the term "rms" to the high and low values to distinguish from the Allos reference. Please note that the "peak" voltage referred in Allos is no different than the "high and low" rms voltages of applicant, i.e. voltages that are outside of the window range.

Applicant goes through great length to argue how the claimed invention differs from that of Allos and yet fails to provide support in the specification for such argument.  
Applicant based solely on the fact that his invention monitor RMS versus peak voltage, however fails to provide any support from the specification to support that fact.  
Applicant argues that his circuit uses DC voltage to measure the voltage range. Please

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note the line voltage of Allos is rectified by the diode bridge D1-D4 prior to being compared to the window voltage range. It is unclear how applicant can argue that this voltage is AC voltage.

b. Applicant argues that Allos does not immediately shut down when the monitored voltage is outside of the window range and Bellos does not disclose immediately restoring power to the load. Please note that the claims do not explicitly require that the power is shut off or restored immediately when the undervoltage/overvoltage and normal conditions are met. The specification further fails to support the immediate shut down of the circuit when the an undervoltage/overvoltage condition is met. On the contrary, the circuit of applicant's Fig. 2 supports that there are delays prior to shutting down/restoring power to the load due to the intervening elements between the high/low comparators and the power switch.